

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

SEP 29 2004

Docket Number (Optional)
13914.632

Application Number
09/737,392

Applicant(s)
Dalebout, et al.

Filing Date
December 15, 2000

Group Art Unit
3764

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
per	1	4,739,986	4/1988	Kucharik, et al.	272	96	
per	2	5,330,399	7/1994	Fan	482	34	
per	3	5,667,462	9/1997	Gordon	482	80	
per	4	US2003/0195096 A1	10/2003	Hecox, et al.	482	147	

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	Pages from Office Action mailed September 8, 2004 in U.S. Patent Application Serial No. 10/446,778, filed May 29, 2003 (5 total pages).

EXAMINER

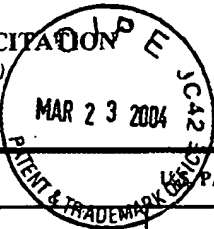
Damer

DATE CONSIDERED

8/30/05

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)



Docket Number (Optional)
13914.632

Application Number
09/737,392

Applicant(s)
Dalebout, et al.

Filing Date
December 15, 2000

Group Art Unit
3764

PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Ja	1	D456,052	4/23/2002	Kerry Peter Steves	D21	670	
Ja	2	5,665,033	9/9/1997	Dennis D. Palmer	482	71	
Ja	3	5,895,342	4/20/1999	Kurt M. Solland	482	96	
Ja		6,225,977	5/1/2001	John Li	345	156	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Ja	1	Lateral Thigh Trainer System, copies of shipping materials, copyright 2003, (18 pages).
Ja	2	Lateral Thigh Trainer Powerhouse Owner's Manual, Step-by-Step Instruction, copyright 2003, (11 pages).

EXAMINER

J. Dalebout

DATE CONSIDERED

8/30/05

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATIONS (Use several sheets if necessary)

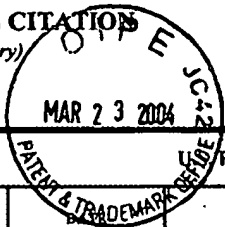
Docket Number (Optional)
13914.632

Application Number
09/737,392

Applicant(s)
Dalebout, et al.

Filing Date
December 15, 2000

Group Art Unit
3764



PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

LR	3	Lateral Thigh Trainer Upper-Body Power Cords, Owner's Manual, copyright 2003 (8 pages).
ga	4	"Special Offer" brochure for Lateral Thigh Trainer, copyright 2003 (1 page).

EXAMINER

Ramers

DATE CONSIDERED

8/31/05

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Applicant:

Dalebout, et al.

Serial No.:

09/737,392

Filing Date:

December 15, 2000

For:

SELECTIVELY DYNAMIC EXERCISE PLATFORM



Sheet 1 of 3

Att'y Docket No.: 13914.632

Group Art Unit: 3764

SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date/ Publication Date</u>	<u>Name</u>
<u>Pa</u> 1	2,978,243	April 4, 1961	Gabrielson
2	3,641,601	February 15, 1972	Sieg
3	4,474,370	October 2, 1984	Oman
4	5,112,045	May 12, 1992	Mason, et al.
5	6,168,551 B1	January 2, 2001	McGuinness
6	6,413,194 B1	July 2, 2002	Gant
7	6,419,611 B1	July 16, 2002	Levine, et al.
8	6,554,753 B1	April 29, 2003	Weck et al.
9	6,547,703 B1	April 15, 2003	Swezey, et al.
10	6,595,586 B2	July 22, 2003	Brightbill, et al.
11	2002/0077221 A1	June 20, 2002	Dalebout et al.
12	2003/0032533 A1	February 13, 2003	Hecox
<u>V</u> 13	2003/0054927 A1	March 20, 2003	Weck et al.
<u>Pa</u> 14	2003/0125173 A1	July 3, 2003	Fan et al.

Foreign Patent Documents

Examiner	Document	Publication	Country or
----------	----------	-------------	------------

Examiner:

Pamerson

Date Considered:

8/30/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Dalebout, et al.
 Serial No.: 09/737,392
 Filing Date: December 15, 2000
 For: SELECTIVELY DYNAMIC EXERCISE PLATFORM

Att'y Docket No.: 13914.632
 Group Art Unit: 3764

<u>Initial*</u>	<u>Number</u>	<u>Date</u>	<u>Patent Office</u>
-----------------	---------------	-------------	----------------------

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

- | | | |
|------------|----|--|
| <u>Jan</u> | 15 | Duradisk Wobble Board, etc., www.paulchekseminars.com , available on information and belief, at least as early as February 2000. |
| | 16 | Exercise Balls; Gymnic Line, etc., www.balldynamics.com , available on information and belief, at least as early as February 2000. |
| | 17 | Dyna-Disc Pillow, etc., Perform Better, available on information and belief, at least as early as February 2000. |
| | 18 | Disc'O'Sit Air Cushion, etc., www.balldynamics.com , available on information and belief, at least as early as February 2000. |
| | 19 | Duradisk, etc., www.paulchekseminars.com , available on information and belief, at least as early as February 2000. |
| | 20 | Sit Fit, www.rpsportsinc.com/balance.htm , available on information and belief, at least as early as February 2000. |
| | 21 | K.A.T. 2000, www.oemmedical.com , (printed January 10, 2000) (2 pages). |
| | 22 | K.A.T. 500 product sheet, available on information and belief, at least as early as February 2000. |
| | 23 | Lower Extremity, Exercise Equipment (K.A.T. Products), available on information and belief, at least as early as February 2000. |
| <u>Jan</u> | 24 | K.A.T. 550 product description, available on information and belief, at least as early as February 2000. |

Examiner:

Lamer

Date Considered:

8/30/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Dalebout, et al.

Serial No.: 09/737,392

Att'y Docket No.: 13914.632

Filing Date: December 15, 2000

Group Art Unit: 3764

For: SELECTIVELY DYNAMIC EXERCISE PLATFORM

- 25 Pogo Ball Drawing, available on information and belief, at least as early as February 2000.
- 26 www.myfitnessstrainer.net, 4 selected screen shots (printed February 26, 2001).
- 27 JUMP BOARD: Digital Photographs showing a toy called a "jump board" made by Hedstrom Corporation, available on information and belief, at least as early as August 2000.

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

WA13914632\RN0000000501\001.doc

Examiner: PowersDate Considered: 8/30/05

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)
13914.632

Application Number
09/737,392

Applicant(s)
Dalebout, et al.

Filing Date
December 15, 2000

Group Art Unit
3764

DEC 09 2004

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Ja	1	D227,584	7/1973	Perez	D34		
	2	D241,863	10/1976	Friedl	D34		
	3	D306,049	2/1990	Bancroft	D21	191	
	4	D375,985	11/1996	Dailey et al.	D21	191	
	5	D382,609	8/1997	Szabo et al.	D21	191	
	6	D405,135	2/1999	Scott	D21	688	
	7	D428,948	8/2000	Gebhard	D21	686	
	8	D489,423	5/2004	Fan et al.	D21	688	
	9	D489,778	5/2004	Fan et al.	D21	688	
	10	2,455,274	11/1948	Scriver	272	57	
Ja	11	2,707,465	5/1955	Nemeth	128	46	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
Ja	1	DE 4105313	8/27/1992	Germany-w/English Abstracts	A63B22	16		✓
	2	DE 1428843	11/28/1968	Germany	A63B		✓	
	3	DE 2239545	2/21/1974	Germany	A63B23		✓	
	4	FR 2410486	12/2/1977	France (w/English Abstract)	A63B23			✓
Ja	5	FR 2592802	1/16/1988	France (w/English Abstract)	A63B23			✓

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Ja	1	Preliminary Amendment and Statement Under 37 C.F.R. § 1.63(d)(2) Deleting Inventors, filed May 29, 2003 in U.S. Patent Application No. 10/446,778, filed May 29, 2003 (12 pages)
Ja	2	Fitter first; balance and fitness for life, Summer 2003, Available at least as early as August 14, 2003 (8 pages).

EXAMINER

Lamerson

DATE CONSIDERED

8/30/03

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (Optional) 13914.632		Application Number 09/737,392	
				Applicant(s) Dalebout, et al.			
				Filing Date December 15, 2000		Group Art Unit 3764	

O I P E J C S
 DEC 09 2004
 TRADEMARK OFFICE

U.S. PATENT DOCUMENTS								
EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
Ja	12	2,714,007	7/1955	Jordan	272	57		
	13	2,829,891	4/1958	Ludwig	272	1		
	14	2,829,892	4/1958	Ludwig	272	1		
	15	2,941,801	6/1960	Pedersen	272	70		
	16	3,416,792	12/1968	Morgan et al.	272	60		
	17	3,451,672	6/1969	Kazdan	272	30		
	18	3,488,049	1/1970	Sasser, Jr.	272	1		
	19	3,586,321	6/1971	Gehrke et al.	272	33		
	20	3,862,768	1/1975	England	280	205		
	21	3,929,329	12/1975	Rivera	272	57		
	22	3,961,787	6/1976	Studebaker et al.	272	93		
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
Ja	6	FR 2624385	12/10/1987	France (w/English Abstract)	A63B69			✓
Ja	7	GB 1372342	10/30/1974	UK	A63B23			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
Ja	3	Fitter first; balance and fitness for life, www.fitter1.com, printed July 12, 2003 (12 pages).						
Ja	4	Bongo; Balance Training Systems, www.balance-boards.com, printed July 12, 2003 (1 page).						
EXAMINER <i>Lamar</i>				DATE CONSIDERED <i>8/30/05</i>				

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) 13914.632		Application Number 09/737,392	
				Applicant(s) Dalebout, et al.			
				Filing Date December 15, 2000		Group Art Unit 3764	
U.S. PATENT DOCUMENTS							
EXAMINER Ja	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	23	3,967,820	7/1976	Harper	272	70	
	24	3,984,100	10/1976	Firster	272	96	
	25	4,285,516	8/1981	Heatwole	272	146	
	26	4,386,915	6/1983	Gilliam	434	253	
	27	4,491,318	1/1985	Francke	272	146	
	28	4,505,477	3/1985	Wilkinson	272	146	
	29	4,530,498	7/1985	Heatwole	272	146	
	30	4,601,469	7/1986	Sasser, Jr.	272	146	
	31	4,700,947	10/1987	Heatwole	272	146	
	32	4,759,542	7/1988	Hudec	272	111	
Ja	33	4,817,950	4/1989	Goo	273	148B	
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
Ja	5	Fitter International Inc., Personal Health & Fitness, www.fitter1.com, printed March 24, 2000 (7 pages).					
EXAMINER Samerson				DATE CONSIDERED 8/30/05			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

13914.632

Application Number

09/737,392

Applicant(s)

Dalebout, et al.

Filing Date

December 15, 2000

Group Art Unit

3764

DEC 09 2004

U.S. PATENT DOCUMENTS

*EXAMINER INITIALS	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
ja	34	4,826,159	5/1989	Hersey	272	146	
ja	35	4,850,588	7/1989	Desjardins et al.	272	111	
	36	4,905,994	3/1990	Hartz	272	146	
	37	4,911,430	3/1990	Flament	272	97	
	38	4,966,364	10/1990	Eggenberger	272	111	
	39	5,002,272	3/1991	Hofmeister	272	146	
	40	5,062,624	11/1991	Reed	272	1R	
	41	5,078,393	1/1992	Morasiewicz	272	146	
	42	5,190,506	3/1993	Zubik et al	482	68	
	43	5,256,127	10/1993	Yeh	482	146	
ja	44	5,292,296	3/1994	Davignon	482	146	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

Jaimes

DATE CONSIDERED

8/30/05

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

13914.632

Application Number

09/737,392

Applicant(s)

Dalebout, et al.

Filing Date

December 15, 2000

Group Art Unit

3764

DEC 09 2004

U.S. PATENT DOCUMENTS

EXAMINER INDEX	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
45		5,310,395	5/1994	Ko	482	146	
46		5,399,140	3/1995	Klippel	482	146	
47		5,423,136	6/1995	Gulli	36	132	
48		5,522,783	6/1996	Gordon	482	127	
49		5,536,226	7/1996	Gordon	482	80	
50		5,603,334	2/1997	Sharp	128	779	
51		5,611,524	3/1997	Gordon	267	154	
52		5,643,161	7/1997	Gordon	482	127	
53		5,674,166	10/1997	Gordon	482	127	
54		5,683,337	11/1997	Zetocha et al.	482	146	
55		5,749,816	5/1988	Froelich, Sr. et al.	482	123	

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

Panerson

DATE CONSIDERED

8/30/08

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) 13914.632		Application Number 09/737,392	
				Applicant(s) Dalebout, et al.			
				Filing Date December 15, 2000		Group Art Unit 3764	

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Ja</i>	56	5,765,921	6/1998	Chuang	297	423.46	X
	57	5,820,096	10/1998	Lynch et al.	248	346.01	
	58	5,899,835	5/1999	Puranda	482	90	
	59	D340,487	10/1993	Traub	D21	712	
	60	D396,904	8/1998	Leu	D32	30	
	61	D478,947	8/2003	Lu	D21	662	
	62	5,810,700	9/1998	Orcutt	482	123	
	63	5,833,587	11/1998	Strong et al.	482	123	
<i>Ja</i>	64	6,740,008	5/2004	Ho et al.	482	34	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER <i>Pamerson</i>	DATE CONSIDERED <i>8-30-06</i>
-----------------------------	-----------------------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.